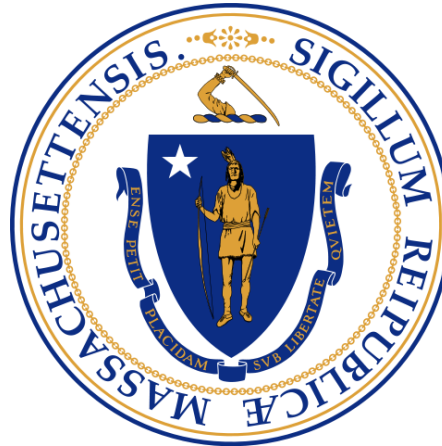


# Massachusetts Office on Disability

The Executive Office for Administration and Finance  
Commonwealth of Massachusetts



Performance Report  
Fiscal Year 2014

Myra Berloff  
Director

## Letter from the Director

Created in 1981 under MGL Chapter 6 Section 185, the mission of the Massachusetts Office on Disability (MOD) is to ensure the full and equal participation of all people with disabilities in all aspects of life. It is the designated agency to oversee and administer the Commonwealth's compliance with the Americans with Disabilities Act (ADA). It is the touchstone within government for technical assistance, trouble shooting and advice on all disability related issues. It serves as ombudsman, conscience, and facilitator as major changes in state policies and services emerge.

Consistent with the structure of ANF's goals, MOD established four goals in its 2013-2015 Strategic Plan: better state and local government compliance with disability policy, better engagement with the disability community, better support and advocacy for people with disabilities, and better customer service.

The pages that follow will describe many of the efforts undertaken by the agency in 2014 to meet these goals. Speaking broadly though, MOD staff participated in over 200 public awareness activities promoting full inclusion of people with disabilities; conducted training for more than 4,000 people throughout the Commonwealth, which included training state and local government officials, as well as architects, builders, and people with disabilities. Finally the agency provided direct advocacy or technical assistance to over 10,000 people who sought our help.

While there is always more work to do and we always strive to do better, I am often reminded that Massachusetts is recognized nationally as a leader in ensuring the rights of our citizens with disabilities.

I am very proud of what this small agency has accomplished thus far and look forward to continuing this commitment in the year ahead.

Sincerely,

Myra Berloff  
Director

**As an agency within the Executive Office of Administration and Finance, the Massachusetts Office on Disability's goals reflect and bolster the commitments of A&F to bring about Better Finance, Better Health Care, Better Performance and Better Government.**

**This report was developed pursuant to Executive Order 540, Governor Patrick's directive to embed strategic planning and performance management across state government. The Massachusetts Office on Disability's FY14 Performance Report describes progress achieved against the goals set out in its 2013-2015 Strategic Plan.**

**Please send feedback  
regarding this plan to:  
[Allan.Motenko@state.ma.us](mailto:Allan.Motenko@state.ma.us)**

MOD undertakes meeting its mission and goals through its three distinctive units, Government Services, Community Services and Client Services.

Government Services aligns with ANF's goal of providing better government as a resource within state government by overseeing and administering the Commonwealth's compliance with the Americans with Disabilities Act (ADA) in order to create a more equitable Commonwealth. By providing technical assistance and consultation on disability related matters, both internal and external to government, we strive to create a Commonwealth where persons with disabilities face neither architectural nor programmatic accessibility barriers in daily living or discrimination due to their disability.

The Executive Office of Public Safety and Security recognized MOD's personal preparedness outreach by reauthorizing Homeland Security funding to continue the work of meeting with the community so people with disabilities are better prepared in case of an emergency. MOD's relationship with the Massachusetts Emergency Management Agency (MEMA) working groups resulted in a commitment to ensure people with disabilities are included in all planning and operations considerations. The Division of Capital Asset Management and Maintenance (DCAMM) continues to work with MOD as it implements Integrated Facilities Management (IFM) and this partnership is reflected in DCAMM's policy briefs and procedures. MOD continues to partner with MA DOT as they undertake their federally required ADA self-evaluation and transition plan which includes the surveying and prioritization of over 100,000 curb ramps throughout the Commonwealth; and has worked with Massachusetts Department of Transportation (DOT) as a consultant as they publish and implement their accessible open meeting protocol, which is now being used as an example throughout state government. In addition, MOD continues to work with sister agencies such as the Human Resources Division (HRD) on their many IT initiatives, the Registry of Motor Vehicles on their IT projects, MA Department of Revenue, Division of Professional Licensing, the Health Information Exchange website, the Governor's Office, and with MassIT to ensure accessibility of new software programs that are being proposed. We continue our training of state agency ADA Coordinators and in response to municipal ADA Coordinators are offering training to them. MOD co-chairs, along with Office of Diversity and Equal Opportunity, the Governor's Model Employer Initiative which has been recognized by the National Governor's Association; administers the Reasonable Accommodation Capital Reserve Account which supports agencies funding needs in order to provide reasonable accommodations for their employees with disabilities; and has provided hundreds of instances of technical assistance to Agency ADA Coordinators

and senior managers in the consideration and implementation of reasonable accommodation requests made by both employees and members of the public. Finally as a member of various Boards and Commissions, MOD brings the voice of people with disabilities to the table. An example of the reach of MOD, we sit on the Massachusetts Bay Transportation Authority (MBTA) Access Advisory Committee, the Statewide Independent Living Council, the E911 Board, the Statewide Coordinating Council for Community Transportation, the Personal Care Attendant Coalition, the Massachusetts Developmental Disabilities Council, the Massachusetts Rehabilitation Commission's Rehabilitation Council, The Massachusetts Commission for the Blind's Rehabilitation Council, Disability Advocates Advancing our Healthcare Rights, the Department of Public Health's Public Health Advisory Committee, the Department of Housing and Community Developments Housing Committee, and the Department of Revenue's Disability Council, to name a few.

Community Services further supports ANF's goal of providing better government by maintaining formal interaction with the disability community, advocacy organizations, businesses and municipalities for the purpose of protecting and promoting the rights of individuals with disabilities. It is this unit that conducts the Personal Preparedness Outreach, and conducts the nationally acclaimed Community Access Monitor trainings which teach people with and without disabilities their rights and responsibilities under state and federal disability laws and regulations. Through its regular meetings with local Commissions on Disability, MOD is the touchstone within state government for local disability related issues. It is this unit that provides technical assistance to businesses and municipalities regarding architectural accessibility as well as working with the Massachusetts Architectural Access Board in writing and enforcing 521 CMR. The Federal Department of Education has recognized MOD by continuing MOD's funding and designation as the state affiliate to the national ADA Technical Assistance Center Network thus allowing MOD access to the latest disability related information coming out from the national level.

All this is taking place while MOD continues its core mission work through its Client Services Unit by interacting with people with disabilities to ensure they are afforded an equal opportunity to participate in all activities of daily living, and to do so in an environment of non-discrimination. MOD's Client Services Advocates provide information and referral and advocacy for individuals with disabilities, and MOD continues to be acknowledged by the federal Department of Education with the reauthorization of funding to operate the nationally mandated Client Assistance Program which allows the uninterrupted flow of over \$48 million of vocational rehabilitation money into the Commonwealth.




Client Services Advocates work on a broad range of issues. Some examples include a newly constructed market rate housing complex that was constructed in violation of state building code. Because of the lack of accessible entrances, residents with

disabilities were being forced to crawl up exterior stairs to reach their building entrance, and once at the top, couldn't get their doors open. There was no blocking built into the walls, so grab bars would not adhere to the bathroom walls. Accessible parking was not on an accessible route and therefore people had to climb up over curbs to get out of their cars, and finally the residents who had brought the issues forward were being harassed. MOD worked with the housing management company, the Massachusetts Architectural Access Board and the Office of the Attorney General to resolve these issues.


MOD regularly receives calls from individuals who use service animals with concerns they have been denied access because of their dogs. Recently cases have been brought to MOD regarding access of service animals in hospitals and on some college campuses, and MOD has been working with these institutions to rewrite policies and procedures so that people who use service animals are no longer denied access. Over the past year advocates have received a number of calls regarding the failure of entities to provide effective communication. Concerns have ranged from state agencies who have failed to provide large print materials, individuals who have requested, and not received sign language interpreters for public meetings or in a hospital setting, failure of students to receive adequate accommodations for test taking, mandatory testing that is accessed via the web that is not accessible to screen reader technology. Some of the calls involve architectural barriers that result in denying individuals the opportunity to participate in social or educational activities. This past year advocates worked with individuals who encountered architectural barriers on college campuses throughout the Commonwealth, individuals who encountered barriers at movie theaters and other public auditoriums, and individuals who were not able to access state services because the buildings were old and inaccessible. Advocates regularly assist individuals with issues regarding housing accommodations, employment accommodations, access to public accommodations, and general information and referral. MOD is the only resource inside state government where individuals may get assistance regardless of their disability, income level or what their need may be.

MOD monitors the quality of our work. We request that participants complete evaluations at the end of each training session. This affords MOD the opportunity to reassess and improve our delivery system. Similarly Client Services requests that clients for whom some level of advocacy has been performed complete a client satisfaction survey prior to their case being closed.






## Performance Dashboard

STATUS LEGEND		=> Target		=> 75% to <99%		< 75% of Target	NA	Not Applicable
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### Better state and local government compliance with disability policy

Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Number of instances of technical assistance provided to the ADA Coordinators, Executive Branch managers, and/or legislative staff regarding their disability-related responsibilities	83	272	265	Stable	NA	NA	Data compares CY12 CY13 and estimated CY14. Technical assistance is provided on an as-requested basis. Better tracking of this measure has yielded a more accurate count since 2012.
Number of trainings and information sessions conducted for state and local government stakeholders	11	22	17	Stable	12		Data compares CY12 CY13 and estimated CY14. This measure is new and represents a consolidation of previously articulated training measures. This measure best captures the multitude of internal training that MOD conducts.
Number of boards, task forces, commissions, and community groups that MOD directly impacts	150	242	235	Stable	NA	NA	Data compares CY12 CY13 and estimated CY14. Dependent on other state agencies who request assistance from MOD.



### Better engagement with the disability community




Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Number of people trained at Community Access Monitor Trainings	81	116	93	Stable	100		Data compares CY12 CY13 and CY14. Although this status is technically correct, the attendance of 7 fewer people than the target does not indicate a substantive failure to meet MOD's goals. Staff will continue to work with municipal partners to encourage participation in future Community Access Monitor trainings.
Number of Emergency Preparedness meetings held	24	29	21	Stable	15		Data compares CY12 CY13 and CY14.
Number of people included in Emergency Preparedness meetings	931	1,273	810	Stable	700		Data compares CY12, CY13 and estimated CY14.
Number of site visits with accompanying reports produced	21	31	23	Stable	20		Data compares CY12 CY13 and estimated CY14.
Number of Commission on Disability Meetings attended to provide in-person technical assistance	14	37	17	Stable	20		Data compares CY12, CY13 and estimated CY14. Meetings take place throughout the state and typically are held at night. Though this status is technically correct, given that this work is performed by one staff person, MOD's attendance at three fewer Commission meetings does not constitute a substantive failure to provide appropriate technical assistance to municipal commissions on disability.

## Better support and advocacy for people with disabilities

Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Number of information and referral services provided	5,208	5,098	5,623	Stable	NA	NA	Data compares CY12, CY13 and estimated CY14. MOD cannot set a target for the quantity and nature of incoming calls.
Number of instances in which advocacy is performed to resolve disability-related denial of service issues and/or disability discrimination	344	323	353	Stable	NA	NA	Data compares CY12, CY13 and estimated CY14. MOD cannot set a target as it is dependent upon the nature of incoming calls.
Number of information & referral services and advocacy performed to assist clients of the Commonwealth's vocational rehabilitation agencies	2,587	2,481	2,289	NA	NA	NA	Data compares Federal Fiscal Year (FFY) 2012, FFY2013 and estimated FFY14. MOD cannot set a target as it is dependent upon the quantity of incoming calls.
Number of Client Assistance Program outreach sessions conducted	150	333	359	Improving	110		Data compares Federal Fiscal Year (FFY) 2012, FFY2013 and estimated FFY14.

## Better customer service

Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Percentage of performance evaluations that are positive from all trainings conducted	96%	96%	97%	Improving	> 95%		Data compares CY12, CY13 and estimated CY14. While MOD continues to strive for 100% satisfaction, a 95% satisfaction target is reasonable and reflects outstanding performance.
Percentage of performance evaluations that are positive from all clients for whom advocacy is performed	85%	95%	98%	Improving	> 95%		Data compares CY12, CY13 and estimated CY14. While MOD continues to strive for 100% satisfaction, a 95% satisfaction target is reasonable and reflects outstanding performance.
Percentage of new callers that receive a return phone call within 24 business hours	NA	NA	NA	Stable	100%	NA	This is a new metric, which reflects MODs existing policy. Due to the technological limitations of our client-management software, we are not able to track this information right now. However, we hope to launch a new database in 2015, which will allow us to capture this data.

<b>STATUS LEGEND</b>		=> Target		=> 75% to <99%		< 75% of Target	NA	Not Applicable
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## Looking Forward

As we set out to establish our goals at the beginning of every year, we are challenged by the fact that we have no control over the number of requests we will receive from inside government, the community, or individuals seeking MOD's involvement or participation. As we look over the last 8 years, MOD's technical assistance has been in ever increasing demand throughout the enterprise and the Commonwealth as a whole. However, MOD's budget and staff have not grown to meet this demand.

MOD's inability to fully meet targets of engagement with the disability community is a result of the fact that the unit responsible for this work is staffed by only two individuals. Furthermore, MOD has become a critical resource inside state government as a technical advisor and end-user accessibility tester for the myriad of IT projects that are regularly being implemented. This is a unique skill - one that is difficult to contract for even from outside sources - which has led to Massachusetts being viewed as a national leader in ensuring the accessibility and usability of information technology. As we move forward, it becomes very clear and even more critical that in order to meet the needs of the enterprise MOD must add a full-time position of ADA IT Specialist. This position is currently staffed by one individual whose primary responsibility is as a Client Services Advocate.

MOD looks forward to working with the new administration as we face both known and unforeseen challenges in ensuring the rights of people with disabilities.



## Measure Descriptions

GOAL	MEASURE	DESCRIPTION
<b>Better state and local government compliance with disability policy</b>	Number of instances of technical assistance provided to the ADA Coordinators, Executive Branch managers, and/or legislative staff regarding their disability-related responsibilities	This measure tracks the number of instances in which MOD provides technical assistance to fellow government officials. As the Commonwealth's ADA coordinating agency, MOD offers technical assistance and ongoing support to the ADA Coordinators and senior managers across state government. Historically, the two most frequent areas of technical assistance are employment and programmatic access to services and programs.
	Number of trainings and information sessions conducted for state and local government stakeholders	This measure tracks the number of trainings and information sessions conducted for state and local government stakeholders. Replacing several training-related measures listed in MOD's strategic plan, this consolidated measure tracks the training that MOD provides to state and municipal officials.
	Number of boards, task forces, commissions, and community groups that MOD directly impacts	This measure tracks the number of boards, task forces, commissions, community groups, and site visits that the MOD participates in to ensure the rights of persons with disabilities are included in decision-making processes inside and outside of state government.
<b>Better engagement with the disability community</b>	Number of people trained at Community Access Monitor Trainings	This measure tracks the cumulative number of people trained at Community Access Monitor sessions.
	Number of Emergency Preparedness meetings held	This measure tracks the number of emergency preparedness meetings held by MOD. As a Co-Chair of the Commonwealth's task force to evaluate the state of emergency preparedness for people requiring additional assistance, MOD learned that people with disabilities did not fully appreciate their role in being personally prepared and that local emergency planners were not including people with disabilities in the design and review of emergency plans. In response, MOD developed an outreach program to bring these groups together to improve relationships and enhance communication.
	Number of people included in Emergency Preparedness meetings	This measure tracks the cumulative number of people who attended a personal emergency preparedness meeting.
	Number of site visits with accompanying reports produced	This measure tracks the number of site visits that MOD's Community Services Program conducts to assess architectural accessibility. At the request of community members, municipal representatives, or business owners, MOD conducts architectural assessments of buildings and facilities based on both state and federal laws to ensure that they are accessible to and usable by persons with disabilities.
	Number of Commission on Disability Meetings attended to provide in-person technical assistance	This measure tracks the number of municipal Commission on Disability meetings that MOD personnel attend to provide technical assistance. M.G.L. Chap. 40, Sec. 8J authorizes municipalities to establish Commissions on Disability by a vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities in the community. MOD is the primary technical advisor to these commissions.

GOAL	MEASURE	DESCRIPTION
<b>Better engagement with the disability community</b>	Number of Commission on Disability Meetings attended to provide in-person technical assistance	This measure tracks the number of municipal Commission on Disability meetings that MOD personnel attend to provide technical assistance. M.G.L. Chap. 40, Sec. 8J authorizes municipalities to establish Commissions on Disability by a vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities in the community. MOD is the primary technical advisor to these commissions.
<b>Better support and advocacy for people with disabilities</b>	Number of information and referral services provided	This measure tracks the number of instances of information and referral services provided. MODs information & referral services facilitate access to resources and enhance the quality of life of persons with disabilities.
	Number of instances in which advocacy is performed to resolve disability-related denial of service issues and/or disability discrimination	This measure tracks the number of instances in which advocacy is performed by MOD to resolve a disability-related denial of service issue and/or disability discrimination. Some of the requests MOD receives pertain to disability-related denial of service issues and/or allegations of disability discrimination that cannot be resolved easily. Advocates attempt first to resolve the reported problems through informal advocacy. If an issue cannot be resolved informally, an advocate may represent an individual at an administrative hearing and/or represent them through an administrative discrimination complaint process.
	Number of information & referral services and advocacy performed to assist clients of the Commonwealth's vocational rehabilitation agencies	This measure tracks the number of referral services and advocacy performed by the Massachusetts Office on Disability to assist clients of the Commonwealth's Vocation Rehabilitation agencies through the federally-mandated Client Assistance Program. This program addresses concerns pertaining to the quality of Vocational Rehabilitation and Independent Living Programs which enable many people to find and maintain employment.
	Number of Client Assistance Program outreach sessions conducted	This measure tracks the number of outreach sessions conducted by the Massachusetts Office on Disability regarding the Client Assistance Program. Outreach sessions are conducted with various entities that work with Vocational Rehabilitation consumers with the goal of assisting/supporting clients to gain employment.

GOAL	MEASURE	DESCRIPTION
<b>Better customer service</b>	Percentage of performance evaluations that are positive from all trainings conducted	This measure tracks MOD's performance as perceived by attendees at trainings which MOD conducts. MOD distributes a multi-question, evaluative survey at each training it conducts and expects that each question will garner positive responses at least 90% of the time.
	Percentage of performance evaluations that are positive from all clients for whom advocacy is performed	This measure tracks MOD's performance as perceived by clients for whom MOD has performed advocacy. At the close of each advocacy case, the client is sent a multi-question survey soliciting their feedback on their experience with the agency. MOD expects each question related to its efforts (as opposed to the client's outcome) to garner positive responses at least 90% of the time.
	Percentage of new callers that receive a return phone call within 24 business hours	This measure tracks whether all new callers to MOD receive a return phone call within 24 business hours. MOD believes that all new callers should receive a response within 24 business hours.

## Noteworthy Changes, Additions or Deletions

GOAL	MEASURE	CHANGE, ADDITION OR DELETION EXPLANATION
<b>Better state and local government compliance with disability policy</b>	Number of systemic and/or critical issues addressed that result in enhanced compliance with disability policy	Deletion: There is no way to anticipate the number of system issues that will be brought to MOD in any year, and in fact we'd like to think that as we move forward with trainings, both for state and local government, the number of the systemic issues will reduce significantly.
	Number of instances where MOD is a resource to the Executive Branch on Information Technology-related matters	Deletion: MOD provides technical assistance across the Executive Branch. While the agency is regularly consulted on matters of IT accessibility and acts as signatory to all enterprise-wide IT-related mitigation requests, the nature of technical assistance provided regarding IT is not sufficiently different to warrant its own distinct metric. MOD will continue to measure and actively manage all technical assistance it provides within state government.
<b>Better engagement with the disability community</b>	Number of Community Access Monitor Trainings held	Deletion: The number of Community Access Monitor trainings is always between 3-4 per year. This is a number that will not change. Moreover, MOD believes that it is more important to strive for its target of at least 100 people trained per year – and thus that knowledge is sent out into the community to enhance access – rather than the distribution of attendance.
<b>Better support and advocacy for people with disabilities</b>	Number of client interactions that resulted in resolution of a systemic accessibility barrier external to state government	Deletion: Due to the technological limitations of our client-management software, we are not currently able to track this information. We hope to launch a new database soon, which will allow us to capture this data. Additionally, the quantity of this measure is dependent upon the calls that come in.